

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

THE YORK GROUP, INC.,
Plaintiff,

v.

HORIZON CASKET GROUP, INC., *et al.*,
Defendants.

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C.A. No. H-06-00262
(Consolidated with C.A. No. H-05-02181)

AFFIDAVIT OF DAVID A. WALTON

STATE OF TEXAS §

COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, personally came and appeared David A. Walton, who, upon being duly sworn upon his oath, did depose and say as follows:

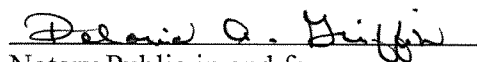
1. "My name is David A. Walton. I am over 18 years of age and competent to make this affidavit. I am an attorney of record for The York Group, Inc., Plaintiff, in the above-entitled and numbered cause. The following information is true and correct and within my personal knowledge."
2. "The documents attached as exhibits to The York Group, Inc.'s Response in Opposition to Defendants' Motion to Strike Plaintiff's Second Amended Original Complaint are true and correct copies of what they are purported to be as referenced in the above-mentioned response."

Further, affiant sayeth not.



David A. Walton

SUBSCRIBED AND SWORN to before me, this 11th day of July, 2007, to certify which witness my hand and seal of office.


Notary Public in and for
the State of Texas

My Commission Expires:

